CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

INITIAL STUDY/ ENVIRONMENTAL CHECKLIST MST2006-00510

PROJECT: 803 N. Milpas Street

June 2, 2009

This Initial Study has been completed for the project described below because the project is subject to review under the California Environmental Quality Act (CEQA) and was determined not to be exempt from the requirement for the preparation of an environmental document. The information, analysis and conclusions contained in this Initial Study are the basis for deciding whether a Negative Declaration (ND) or Mitigated Negative Declaration (MND) is to be prepared, or if preparation of an Environmental Impact Report (EIR) is required to further analyze impacts. Additionally, if preparation of an EIR is required, the Initial Study is used to focus the EIR on the effects determined to be potentially significant.

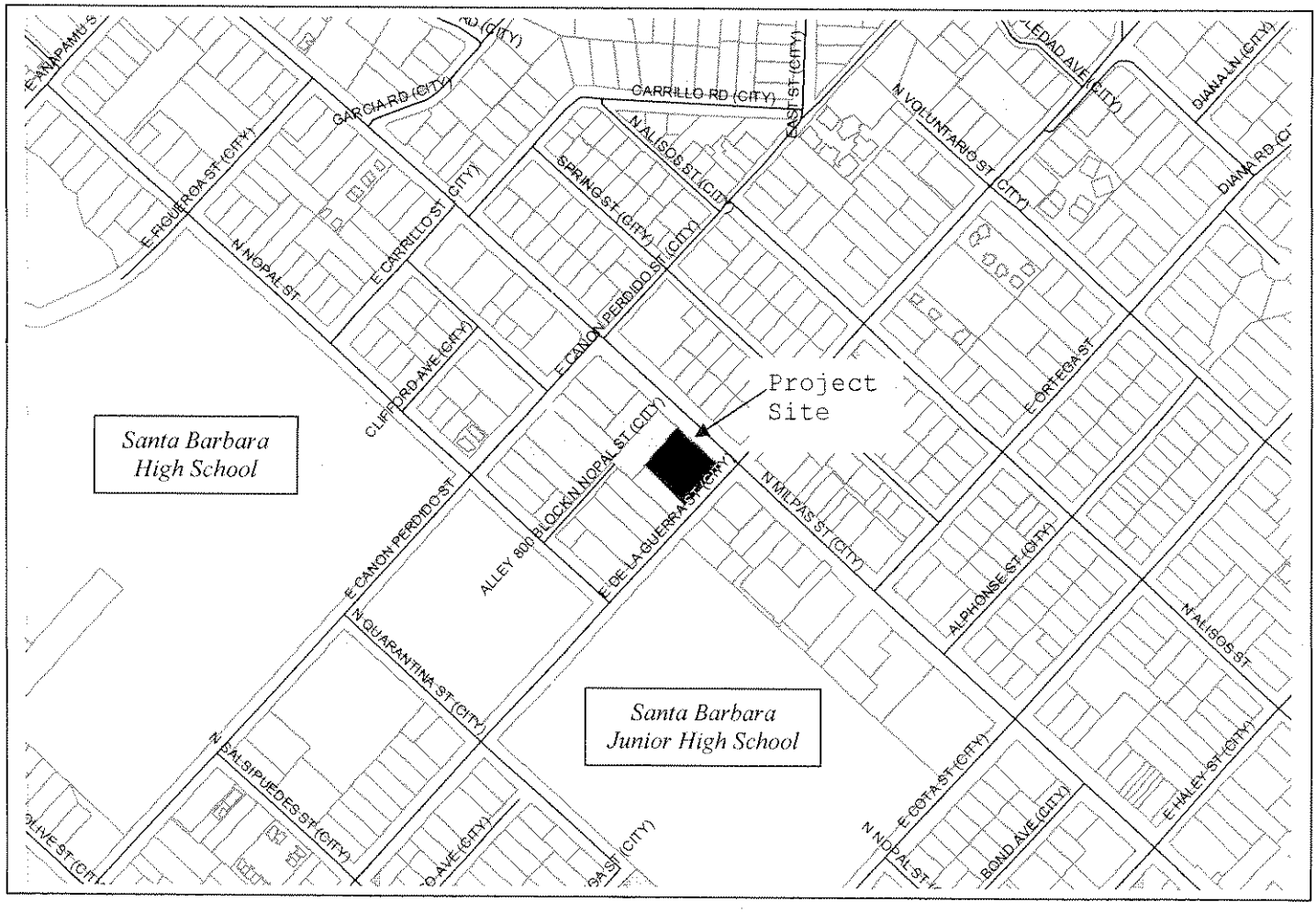
APPLICANT/ PROPERTY OWNER

Applicant: Jarret Gorin, AICP, Centerpoint Development Partners LLC
735 State Street, Suite 204, Santa Barbara, CA 93101-5502

Owner: 803 North Milpas Street LLC

PROJECT ADDRESS/LOCATION

The project site is a 1/2-acre lot located at 803 North Milpas Street in Santa Barbara, California, at the northwest corner of the North Milpas Street / East De la Guerra Street intersection. The project site is located in the Milpas neighborhood of the City of Santa Barbara.



Vicinity Map

PROJECT DESCRIPTION (See *Exhibit A-Project Plans*)

Project Components:

The project consists of a mixed use development containing five mixed use residential/commercial condominiums, one live/work unit, two residential units and one commercial condominium. The development would be split among three buildings totaling 19,886 net square feet. The overall height of the proposed development would be between 37 feet and 38 feet, 6 inches. Parking would be located within eight two-car garages and on the interior of the lot for a total of 26 parking spaces. Access to the garages and parking lot would be via a driveway from East De la Guerra Street, located between two of the buildings. Pedestrian access to the site would also be provided from North Milpas Street. A landscaped area would be provided in the northwest corner of the site, behind the open parking. An area along the northern property line has been reserved for the location of secured remediation equipment, if required.

Building 1 and 2 would front onto North Milpas Street, and are connected by second story decks, although there is no access from one building to the other. Building 1 contains two mixed-use units, each containing approximately 1,534 square feet of residential space with approximately 340 square feet of commercial space on the ground floor, and the commercial-only condominium, which would be sited on the corner of East De la Guerra and North Milpas Streets and would be approximately 1,138 square feet. Building 2 contains three mixed-use units, each containing approximately 1,534 square feet of residential space with approximately 340 square feet of commercial space on the ground floor. Building 3 contains three units and fronts on East De la Guerra Street. Of these three units, two would be residential-only units of approximately 1,880 to 1,950 square feet each, and the third would include approximately 1,640 square feet of residential space with approximately 278 square feet of deed restricted commercial space (live-work unit).

	Unit	Commercial Square Footage (net)	Residential Square Footage (net)	Bedrooms	Total* (net)
Building 1					5,802 sq. ft.
		1,138 sq. ft.	N/A	N/A	
	1	360 sq. ft	1,538 sq. ft.	2	
	2	328 sq. ft.	1,534 sq. ft.	2	
Building 2					7,036 sq. ft.
	3	328 sq. ft.	1,534 sq. ft.	2	
	4	349 sq. ft.	1,534 sq. ft.	2	
	5	348 sq. ft.	1,587 sq. ft.	2	
Building 3					7,048 sq. ft.
	6	N/A	1,887 sq. ft.	3	
	7	N/A	1,922 sq. ft.	3	
	8	278 sq. ft.**	1,622 sq. ft.	2	
Totals		**2,814 sq. ft.**	**13,158 sq. ft.**		**19,886 sq. ft.**

* Includes parking areas.
** This area is deed restricted, such that it must be occupied by the owner of the residential unit.

Construction:

Project construction is anticipated to take approximately 12 to 18 months to complete from the commencement of grading activities through building construction and landscaping.

Required Permits: Required discretionary actions by the City include:

1. A Tentative Subdivision Map for a one-lot subdivision with nine condominium units (eight residential, one commercial) per SBMC Chapters 27.07 and 27.13;
2. A Modification to allow less than the required number of parking spaces (SBMC §28.92.110.A.1);
3. A Development Plan to allow the construction of 2,851 net square feet of nonresidential development on APN 031-042-028 (SBMC §28.87.300); and
4. Design Review by the Architectural Board of Review (ABR).

ENVIRONMENTAL SETTING

Existing Site Characteristics

Topography/Drainage: The project site is relatively flat, with an approximate slope of 2%. The site drains to East De la Guerra Street.

Seismic/Geologic Conditions: The City's Master Environmental Assessment (MEA) identifies on-site soil types as alluvium and artificial fill. The potential for expansive soils is minimal. The potential for seismic hazards is low. The MEA identifies the northern portion of the site as having a minimal potential for liquefaction to occur as a result of earthshaking; however, the southern portion of the site is identified as having high liquefaction susceptibility.

Flooding: The southern portion of the project site is located within FEMA Zone 'A'. This would affect residential Units 6, 7 and 8 and the corner commercial unit.

Fire Hazard: The project site is not located in a High Fire Hazard Zone.

Biological Resources: The site contains approximately 13 ornamental trees, located along the north and west property lines. No other vegetation exists.

Archaeological Resources: The project site is located within the American Period and Early 20th Century Period archaeological resource sensitivity areas, as shown on the City's *Cultural Resources Sensitivity Map.* The site has been excavated as part of the site development and hazardous materials remediation and therefore, is unlikely to contain any in-situ archaeological resources.

Noise: The project site is subject to noise levels of up to approximately 60-65 dB(A) Ldn according to the City's MEA. The primary noise source affecting the site is vehicular traffic from Milpas and East De la Guerra Streets.

Hazards: The project site contains known soil contamination, primarily from historical use as a service station.

Existing Land Use

Existing Facilities and Uses:

The project site is currently vacant; however, there is ongoing soil testing and groundwater monitoring due to contamination from the previous automobile service station. The site contains approximately 13 trees, some of which are in poor health. Retaining walls, six to nine feet in height are located along the north and west property lines, and a chain link fence approximately six feet in height encloses the site along the east and south property lines.

Access and Parking: There are two driveway aprons on North Milpas Street and two driveway aprons on East De la Guerra Street that served the former service station.

PROPERTY CHARACTERISTICS

Assessor's Parcel Number:	031-042-028	**General Plan Designation:**	General Commerce
Zoning:	C-2, Commercial	**Parcel Size:**	21,756 square feet
Existing Land Use:	vacant	**Proposed Land Use:**	Mixed-Use (residential/commercial)
Slope:	2%		
SURROUNDING LAND USES:			
North:	Residential and Commercial		
South:	E. De la Guerra Street and Commercial		
East:	N. Milpas Street and Commercial		
West:	Multi-Family Residential Apartments.		

PLANS AND POLICY DISCUSSION

(CEQA Guidelines 15063, Contents of Initial Study specifies inclusion of "An examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls.)

Land Use and Zoning Designations:

The subject property is located in the Milpas neighborhood, as identified and described in the Land Use Element of the General Plan. This area is described as the main commercial center for the Eastside neighborhood, Eucalyptus and parts of the Riviera. The Milpas neighborhood is bounded on the north by Canon Perdido Street, on the south by Highway 101, and on the east and west by the rear of the commercial establishments on each side of Milpas Street. This neighborhood has a solid strip of commercial activity along both sides of Milpas street, with some residential use in the area.

The land use designation for the site is General Commerce. On January 13, 2009, the City Council adopted Resolution 09-005, amending the General Plan designation for the 600-800 blocks of North Milpas Street. The prior land use designation for the site was Residential, 12 units per acre; this designation was changed to General Commerce to reflect the existing commercial zoning, existing uses and Land Use Element description of the Milpas neighborhood. The proposed mixed-use development would be consistent with the General Commerce designation.

The site's zoning is C-2, which is a commercial zone. The proposed development would comply with the requirements of the C-2 zone. Per the City's zoning ordinance, commercial and residential uses are allowed in the C-2 zone.

General Plan Policies:

The proposed project includes a commercial-residential mixed-use development on a vacant corner lot. Therefore, the project could be found potentially consistent with the General Plan. Analysis of compliance with specific elements of the General Plan is identified below.

1. Land Use Element

The project site is located in the Milpas neighborhood, as defined in the General Plan. This neighborhood is identified as a commercial area with some residential use, typically above and behind shops. Therefore, the proposed mixed-use development would be potentially consistent with the Land Use Element of the General Plan.

2. Housing Element

The Housing Element encourages construction of a wide range of housing types to meet the needs of various household types. The proposed project would result in the provision of eight new residential units of two to three bedrooms each. Therefore, the proposed project is potentially consistent with this goal of the Housing Element.

Housing Element Policy 3.3 requires new development to be compatible with the prevailing character of the

Housing Element Policy 3.3 requires new development to be compatible with the prevailing character of the neighborhood. The neighborhood surrounding the project site is comprised of multi-family residential development to the west, and commercial development to the north, east and south. Surrounding development includes both one- and two-story structures. Proposed development of the new residences includes three-story buildings. Due to the project site's lower elevation in relation to the elevation of the properties immediately adjacent to the project site, the proposed three-story building would be similar in height to those developments, as viewed from the street. Size and design of these units is subject to review by the City's Architectural Board of Review (ABR). Therefore, proposed new development would be potentially consistent with this policy of the Housing Element.

3. Conservation Element

City Conservation Element policies provide that significant environmental resources of the City be preserved and protected. The Conservation Element requires implementation of resource protection measures for archaeological, historic and architectural resources; protection and enhancement of visual, biological and open space resources; protection of specimen and street trees; maintenance of air and water quality; and minimization of potential drainage, erosion and flooding hazards. The Conservation Element recognizes that while full implementation of the policies would be the most desirable, there are often competing demands for preservation, enhancement, development and conservation.

With respect to the subject development, there are three policies under the Conservation Element that directly apply to the project site, which are discussed below:

> Cultural and Historic Resources Policy 1.0 – "Activities and development which could damage or destroy archaeological, historic, or architectural resources are to be avoided."
>
> Visual Resources Policy 3.0 – "New development shall not obstruct scenic view corridors, including those of the ocean and lower elevations of the City viewed respectively from the shoreline and upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations of the City."
>
> Visual Resources Policy 4.0 – "Trees enhance the general appearance of the City's landscape and should be preserved and protected."

Cultural and Historic Resources – The project site is not identified as an important historical site, and as it is vacant, is not an architecturally significant site. Further, development of the site as a former service station included significant excavation to install and remove underground storage tanks, and subsequent soil remediation further disturbed the site. Therefore, archaeological resources are not expected on the site and the project can be found potentially consistent with the cultural resources policies of the Conservation Element.

Visual Resources – The project is not anticipated to obstruct important public scenic views to the ocean or lower elevations of the City, and is not anticipated to substantially obstruct upper foothill or mountain views from the beach or lower elevations of the City. The project site is surrounded by existing residential and commercial development. As discussed in Section 1. Aesthetics, visual impacts related to views were determined to be less than significant. The project does include approximately 13 trees that would be removed as part of the project. Some of these trees are in poor health, and proposed replacement trees would provide more aesthetic benefit to the site and adjacent areas. As such, the project can be found potentially consistent with the visual resources policies of the Conservation Element.

4. Seismic Safety/Safety Element

The City's Seismic Safety/Safety Element requires that development be sited, designed and maintained to protect life, property, and public well-being from seismic and other geologic hazards, and to reduce or avoid adverse economic, social, and environmental impacts caused by hazardous geologic conditions. The Seismic Safety/Safety Element addresses a number of potential hazards including, geology, seismicity, flooding, liquefaction, tsunamis, high groundwater, and erosion. The project site is subject to some geologic and environmental constraints. As discussed in this Initial Study analysis, potential impacts associated with these types of hazards would be adequately addressed by adhering to the California Building Code. Therefore, the proposed project may be found potentially consistent with the Seismic Safety/Safety Element.

5. Noise Element

The City's Noise Element includes policies intended to achieve and maintain a noise environment that is compatible with

the variety of human activities and land uses in the City. The proposed project would not generate a substantial increase in existing ambient noise levels in the area due the proposed use (residential and commercial). The project would locate new residential uses in an area where existing noise levels could impact future users. Mitigation measures are required to ensure that noise levels are reduced to acceptable levels. Short-term construction noise is minimized through implementation of standard mitigation measures. With incorporation of the required and recommended mitigation measures, the proposed project could be found potentially consistent with the Noise Element.

6. Circulation Element

The Circulation Element of the General Plan contains goals and implementing measures to reduce adverse impacts to the City's street system and parking by reducing reliance on the automobile, encouraging alternative forms of transportation, reviewing traffic impact standards, and applying land use and planning strategies that support the City's mobility goals. The project site is located within walking distance of a market, restaurants and other commercial businesses. Additionally, a bus stop is currently located adjacent to the project site and will be improved as part of the project. Bicycle parking will be incorporated into the design for both residents and visitors of the project site. Traffic and circulation impacts resulting from the proposed project are negligible, and thus the project could be found potentially consistent with the Circulation Element.

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

A draft Mitigation Monitoring and Reporting Program has been prepared for the project in compliance with Public Resources Code §21081.6. The draft MMRP is attached here as ***Exhibit B***.

ENVIRONMENTAL CHECKLIST

The following checklist contains questions concerning potential changes to the environment that may result if this project is implemented. If no impact would occur, **NO** should be checked. If the project might result in an impact, check **YES** indicating the potential level of significance as follows:

Significant: Known substantial environmental impacts. Further review needed to determine if there are feasible mitigation measures and/or alternatives to reduce the impact.

Potentially Significant: Unknown, potentially significant impacts that need further review to determine significance level and whether mitigable.

Potentially Significant, Mitigable: Potentially significant impacts that can be avoided or reduced to less than significant levels with identified mitigation measures agreed-to by the applicant.

Less Than Significant: Impacts that are not substantial or significant.

1. AESTHETICS Could the project:		NO	YES *Level of Significance*
a)	Affect a public scenic vista or designated scenic highway or highway/roadway eligible for designation as a scenic highway?		Less Than Significant
b)	Have a demonstrable negative aesthetic effect in that it is inconsistent with Architectural Board of Review or Historic Landmarks Guidelines or guidelines/criteria adopted as part of the Local Coastal Program?		Less Than Significant
c)	Create light or glare?		Less Than Significant

Visual Aesthetics - Discussion

Issues: Issues associated with visual aesthetics include the potential blockage of important public scenic views, project on-site visual aesthetics and compatibility with the surrounding area, and changes in exterior lighting.

Impact Evaluation Guidelines: Aesthetic quality, whether a project is visually pleasing or unpleasing, may be perceived and valued differently from one person to the next, and depends in part on the context of the environment in which a project is proposed. The significance of visual changes is assessed qualitatively based on consideration of the proposed physical change and project design within the context of the surrounding visual setting. First, the existing visual setting is reviewed to determine whether important existing visual aesthetics are involved, based on consideration of existing views, existing visual aesthetics on and around the site, and existing lighting conditions. Under CEQA, the evaluation of a project's potential impacts to scenic views is focused on views from public (as opposed to private) viewpoints. The importance of existing views is assessed qualitatively based on whether important visual resources such as mountains, skyline trees, or the coastline, can be seen, the extent and scenic quality of the views, and whether the views are experienced from public viewpoints. The visual changes associated with the project are then assessed qualitatively to determine whether the project would result in substantial effects associated with important public scenic views, on-site visual aesthetics, and lighting.

Significant visual aesthetics impacts may potentially result from:

- Substantial obstruction or degradation of important public scenic views, including important views from scenic highways; extensive grading and/or removal of substantial amounts of vegetation and trees visible from public areas without adequate landscaping; or substantial loss of important public open space.
- Substantial negative aesthetic effect or incompatibility with surrounding land uses or structures due to project size, massing, scale, density, architecture, signage, or other design features.
- Substantial light and/or glare that poses a hazard or substantial annoyance to adjacent land uses and sensitive receptors.

Visual Aesthetics – Existing Conditions and Project Impacts

The project includes new construction of three-story buildings on a currently vacant site surrounded by existing urban development. New site paving and landscaping is also proposed. The project design is a simplified Art Deco vernacular. Building heights would range from 29 feet to 39 feet, as measured from finished grade to the top of the parapet. Third-story elements of the buildings would be set back approximately 12 feet from North Milpas Street and approximately 26 feet from East De la Guerra Street. Parking is concealed from the street by the proposed buildings. The site plan, elevations and landscape plan are attached as ***Exhibit A***.

1.a) Scenic Views

The project site is located on the northwest corner of the North Milpas Street / East De la Guerra Street intersection,

which part of an existing urban environment in the Milpas Street commercial corridor of the City of Santa Barbara. The site is currently vacant (enclosed by a chain link fence along North Milpas and East De la Guerra Streets), but was previously developed with a gas service station. This area of Milpas Street is characterized by commercial development with residential development located west of the parcels fronting on Milpas Street. The development, as proposed, would be a three story structure with at-grade parking. It would be similar in height to the existing apartments located immediately west of the site, and the approved (but not built) mixed use development located immediately north of the site.

The City's Master Environmental Assessment (MEA) maps do not identify the parcel as being located in an area of visual sensitivity. The main visual resource of this area is the Santa Ynez Mountains (to the north and east of the site). Views of the mountains are currently provided over the project site, as viewed from East De la Guerra Street.

The portion of the mountain view currently available over the project site from East De la Guerra Street would be blocked by the proposed development. Views looking straight ahead while driving or walking east along East De la Guerra Street would still be available. The views at the intersection of North Milpas and East De la Guerra Streets are the most prominent public views in the area, and these would remain following construction of the project.

The proposed project would not be visible from Highway 101, as it is approximately one mile from the project site and views are blocked by intervening structures, landscaping and topography. The site is not visible from any public viewing areas (such as parks or public gathering spaces) or designated open space areas where the public would spend considerable time contemplating the view of significant scenic resources. There are no view impacts from or to the coastline due to existing development.

The visual change resulting from the proposed project would not substantially obstruct any important visual resources as viewed from public vantage points and would not be visible from Highway 101; therefore, the impacts to scenic views would be *less than significant*.

1.b) On-Site Aesthetics

The City's design review board (Architectural Board of Review) has reviewed the proposed project on three occasions. Overall, the Board is pleased with the site planning, and most Board members like the style of the buildings. Overall, the Board has determined that the size, massing, architecture and detailing of the project are appropriate and compatible with surrounding uses and development. Refer to ***Exhibits C, D and E*** for Minutes from the design review meetings. Further refinement of the design will continue as part of the City's standard project review (preliminary and final design review approvals). Potential impacts associated with on-site aesthetics are considered *less than significant.*

1.c) Lighting

The project's outdoor lighting is required to be reviewed by the Architectural Board of Review (ABR) and must be in compliance with the City's Outdoor Lighting Ordinance (SBMC Chapter 22.75), the intent of which is to preserve and enhance the unique qualities of Santa Barbara's residential neighborhoods and its visual environment by reducing problems created by improperly designed and incorrectly installed outdoor lighting, so as not to contribute to the problems associated with glare, light trespass, or skyglow. Upon compliance with the City's Lighting Ordinance requirements, impacts related to light or glare would be *less than significant*.

Visual Aesthetics – Recommended Mitigation

A-1 **Design Review.** Prior to building permit issuance, proposed project grading and landform alteration, structural design, landscaping, and lighting is subject to preliminary and final review and approval by the Architectural Board of Review for consistency with design guidelines for views, visual aesthetics and compatibility, and lighting.

A-2 **Lighting.** Lighting design shall conform with City Lighting Ordinance requirements, including shielding and direction to the ground to avoid off-site lighting and glare effects, and shall be approved by the Architectural Board of Review.

Visual Aesthetics - Residual Impacts

Less than significant.

2. AIR QUALITY Could the project:	NO	YES *Level of Significance*
a) Conflict with or obstruct implementation of the applicable air quality plan?		Less Than Significant
b) Exceed any City air quality emission threshold? Long-term		Less Than Significant
Short-term		Less Than Significant
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is designated in non-attainment under an applicable federal or state ambient air quality standard?		Less Than Significant
d) Expose sensitive receptors to substantial pollutants?		Less Than Significant
e) Create objectionable odors affecting a substantial number of people?		Less Than Significant

Air Quality - Discussion

Issues. Air quality issues involve pollutant emissions from vehicle exhaust and industrial or other stationary sources that contribute to smog, particulates and nuisance dust associated with grading and construction processes, and nuisance odors.

Smog, or ozone, is formed in the atmosphere through a series of photochemical reactions involving interaction of oxides of nitrogen [NO_x] and reactive organic compounds [ROG] (referred to as ozone precursors) with sunlight over a period of several hours. Primary sources of ozone precursors in the South Coast area are vehicle emissions. Sources of particulate matter (PM_{10} and $PM_{2.5}$) include demolition, grading, road dust and vehicle exhaust, as well as agricultural tilling and mineral quarries.

Sensitive receptors are defined as children, elderly, or ill people that can be more adversely affected by air quality emissions. Land uses typically associated with sensitive receptors include schools, parks, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and clinics. Stationary sources of air emission are of particular concern to sensitive receptors, as is construction dust and particulate matter.

Long-Term (Operational) Impact Guidelines: A project may create a significant air quality impact by:

- Exceeding an APCD pollutant threshold; inconsistency with District regulations; or exceeding population forecasts in the adopted Clean Air Plan.
- Exposing sensitive receptors, such as children, the elderly or sick people to substantial pollutant exposure.
- Creating nuisance odors inconsistent with APCD regulations.
- Emitting (from all project sources, both stationary and mobile) more than 240 pounds per day for ROG and NO_x, and 80 pounds per day for PM_{10};
- Emitting more than 25 pounds per day of ROG or NO_x from motor vehicle trips only;
- Contributing more than 800 peak hour trips to an individual intersection (CO);
- Causing a violation of any California or National Ambient Air Quality Standard (except ozone);
- Exceeding the APCD health risks public notification thresholds adopted by the APCD Board; and
- Being inconsistent with the adopted federal and state air quality plans for Santa Barbara.

Short-Term (Construction) Impacts Guidelines: Projects involving grading, paving, construction, and landscaping activities may cause localized nuisance dust impacts and increased particulate matter (PM_{10}). Substantial dust-related

impacts may be potentially significant, but are generally considered mitigable with the application of standard dust control mitigation measures. Standard dust mitigation measures are applied to projects with either significant or less than significant effects.

Exhaust from construction equipment also contributes to air pollution. Quantitative thresholds of significance are not currently in place for short-term or construction emissions. However, SBCAPCD uses combined emissions from all construction equipment that exceed 25 tons of any pollutant except carbon monoxide within a 12-month period as a guideline threshold for determining significance of construction emission impacts. Substantial exhaust-related impacts may be potentially significant, but are generally considered mitigable with the application of standard emissions mitigation measures. Standard exhaust-related mitigation measures are applied to projects with either significant or less than significant effects.

Cumulative Impacts and Consistency with Clean Air Plan: If the project-specific impact exceeds the ozone precursor significance threshold, it is also considered to have a considerable contribution to cumulative impacts. When a project is not accounted for in the most recent Clean Air Plan growth projections, then the project's impact may also be considered to have a considerable contribution to cumulative air quality impacts. The Santa Barbara County Association of Governments and Air Resources Board on-road emissions forecasts are used as a basis for vehicle emission forecasting. If a project provides for increased population growth beyond that forecasted in the most recently adopted CAP, or if the project does not incorporate appropriate air quality mitigation and control measures, or is inconsistent with APCD rules and regulations, then the project may be found inconsistent with the CAP and may have a significant impact on air quality.

Setting. The City of Santa Barbara is part of the South Central Coast Air Basin (SCCAB). The City is subject to the National Ambient Air Quality Standards and the California Ambient Air Quality Standards (CAAQS), which are more stringent than the national standards. The CAAQS apply to six pollutants: photochemical ozone, carbon monoxide, sulfur dioxide, nitrogen dioxide, particulate matter, and lead. The Santa Barbara County Air Pollution Control District (SBCAPCD) provides oversight on compliance with air quality standards and preparation of the County Clean Air Plan.

The SCAB is considered in attainment of the federal eight-hour ozone standard, and in attainment of the state one-hour ozone standard. The SCAB does not meet the state standard for particulate matter less than ten microns in diameter (PM_{10}). There is not yet enough data to determine SCAB attainment status for either the federal standard for particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) or the state $PM_{2.5}$ standard, although SCAB will likely be in attainment of the federal 2.5 standard.

Air Quality – Existing Conditions and Project Impacts

2.a) Clean Air Plan

Direct and indirect emissions associated with the project are accounted for in the 2007 CAP emissions growth assumptions. Appropriate air quality mitigation measures, including construction dust suppression, would be applied to the project, consistent with CAP and City policies. The project could be found consistent with the 2007 Clean Air Plan; therefore impacts would be *less than significant*.

2.b) Air Pollutant Emissions

Long-Term (Operational) Emissions:

Long-term project emissions primarily stem from motor vehicles associated with the project and from stationary sources that may require permits from the APCD. Examples of stationary emission sources include gas stations, auto body shops, diesel generators, dry cleaners, oil and gas production and processing facilities, and water treatment facilities. Other stationary sources such as small wineries, residential heating and cooling equipment, wood burning stoves and fireplaces, or other individual appliances do not require permits from the APCD and are known as "area sources". The proposed project does not contain any stationary sources that require permits from APCD.

The proposed project will generate approximately 190 new average daily trips (ADTs) and a maximum of approximately 17 peak hour trips (PHTs). Using the URBEMIS 9.2.4 computer model, it is estimated that the long-term vehicle emissions resulting from the proposed project would be 2.22 pounds per day of ROG and 2.15 pounds per day of NO_x, which is substantially below significance thresholds adopted by the APCD and the City of Santa Barbara. Therefore, the proposed project would have a *less than significant* impact on the environment related to long-term air quality.

Short-Term (Construction) Emissions:

The project would involve minimal grading quantities (less than 300 cubic yards total of cut and fill); however, it does include paving and landscaping activities which could cause localized dust related impacts resulting in increases in particulate matter (PM_{10}) emissions. Dust-related impacts are considered *less than significant* with the application of standard dust control measures.

Construction equipment would also emit NO_x and ROG. However, in order for NO_x and ROG emissions from construction equipment to be considered a significant environmental impact, combined emissions from all construction equipment would need to exceed 25 tons of any pollutant (except carbon monoxide) within a 12-month period. Utilizing the URBEMIS 9.2.4 computer model, it is estimated that the proposed project will generate approximately 1.05 tons per year of NO_x and 0.28 tons per year of ROG during construction. Therefore, the proposed project is anticipated to have a *less than significant* effect on the environment related to short-term emissions impacts. Mitigation measures are recommended to reduce NO_x and $PM_{2.5}$ emissions from construction equipment.

Cumulative Impacts:

Global Climate Change (GCC) is a change in the average weather of the earth that can be measured by changes in wind patterns, storms, precipitation and temperature. GCC is generally thought to be caused by increased emission of greenhouse gases (GHG) because these gases trap heat in the atmosphere. Common GHG include water vapor, carbon dioxide, methane, nitrous oxides, chlorofluorocaroons, hydrofluorocarbons, ozone and aerosols. Natural processes and human activities emit GHG and help to regulate the earth's temperature; however, it is believed that substantial emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. California is a substantial contributor of GHG (2nd largest contributor in the U.S. and the 16th largest contributor in the world), with transportation and electricity generation representing the two largest contributing factors (41 and 22 percent, respectively).

The carbon dioxide (CO_2) equivalent is a consistent methodology for comparing GHG emissions. Because the project will result in additional vehicle trips, the project will result in a small net increase in CO_2 emissions. Project operations are anticipated to emit approximately 227.52 tons of CO_2 per year, which represents 0.00005% of California's yearly CO_2 emissions. During construction, the project is estimated to emit approximately 95.18 tons of CO_2 per year, which represents 0.00002% of California's yearly CO_2 emissions. As there are currently no significance thresholds for CO2 emissions or measuring GCC, this information is provided for informational purposes only. The project will not contribute substantially, on a temporary, project-specific or cumulative level, to the generation of GHG emissions.

2.c) Cumulative Emissions

Since project impacts do not exceed any adopted significance thresholds and the project is consistent with the CAP, the project would have a *less than significant* impact related to cumulative project emissions.

2.d) Sensitive Receptors

Sensitive receptors are defined as children, elderly, or ill people that can be more adversely affected by air quality problems. Land uses typically associated with sensitive receptors include schools, parks, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and clinics. Stationary sources are of particular concern to sensitive receptors, as is construction dust and particulate matter. The project would not include stationary sources nor generate over 800 new vehicle trips; therefore, it would not generate dangerous concentrations of carbon monoxide at any location. However, sensitive receptors in the area could be affected by dust and diesel particulate matter (diesel PM) from construction equipment and vehicle exhaust temporarily during project site grading. Particulate emissions from diesel exhaust are classified as carcinogenic by the State of California. Impacts associated with nuisance dust and diesel PM are considered *less than significant* because they are temporary, limited, and localized.

2.e) Odors

The proposed project would include residential and commercial uses. These types of uses would not be a substantial source of objectionable odors. Therefore, potential odor-related impacts would be *less than significant*.

Air Quality –Recommended Mitigation

AQ-1 Construction Dust Control - Watering. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably

available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to achieve minimum soil moisture of 12% to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas every three hours. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

AQ-2 Construction Dust Control – Tarping. Trucks transporting fill material to and from the site shall be covered from the point of origin and maintain a freeboard height of 12 inches.

AQ-3 Construction Dust Control – Gravel Pads. Gravel pads, 3 inches deep, 25 feet long, 12 feet wide per lane and edged by rock berm or row of stakes or a pipe-grid track out control device shall be installed to reduce mud/dirt track out from unpaved truck exit routes.

AQ-4 Construction Dust Control – Minimize Disturbed Area/Speed. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

AQ-5 Construction Dust Control – Disturbed Area Treatment. After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind erosion. This may be accomplished by:

- Seeding and watering until grass cover is grown;
- Spreading soil binders;
- Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;
- Other methods approved in advance by the Air Pollution Control District.

AQ-6 Construction Dust Control – Paving. All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

AQ-7 Stockpiling. If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist by applying water at a rate of 1.4 gallons per hour per square yard, or treated with soil binders to prevent dust generation. Apply cover when wind events are declared.

AQ-8 Construction Dust Control – Project Environmental Coordinator (PEC). The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when construction work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading for the structure.

AQ9 Exhaust Emissions – Engines. Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be used.

AQ-10 Engine Size. The engine size of construction equipment shall be the minimum practical size.

AQ-11 Equipment Numbers. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

AQ-12 Equipment Maintenance. Construction equipment shall be maintained to meet the manufacturer's specifications.

AQ-13 Engine timing. Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.

AQ-14 Catalytic Converters. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

AQ-15 Diesel Catalytic Converters. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.

AQ-16 Diesel Replacements. Diesel powered equipment shall be replaced by electric equipment whenever feasible.

AQ-17 Idling Limitation. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units shall be used whenever possible.

AQ-18 Biodiesel. Biodiesel shall be used to the maximum extent feasible.

Air Quality - Residual Impacts

Less than significant.

3. BIOLOGICAL RESOURCES Could the project result in impacts to:		NO	YES *Level of Significance*
a)	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?		Potentially Significant, Mitigable
b)	Locally designated historic, Landmark or specimen trees?	X	
c)	Natural communities (e.g. oak woodland, coastal habitat, etc.).	X	
d)	Wetland habitat (e.g. marsh, riparian, and vernal pool)?	X	
e)	Wildlife dispersal or migration corridors?	X	

Biological Resources - Discussion

Issues: Biological resources issues involve the potential for a project to substantially affect biologically-important natural vegetation and wildlife, particularly species that are protected as rare, threatened, or endangered by federal or state wildlife agencies and their habitat, native specimen trees, and designated landmark or historic trees.

Impact Evaluation Guidelines: Existing native wildlife and vegetation on a project site are qualitatively assessed to identify whether they constitute important biological resources, based on the types, amounts, and quality of the resources within the context of the larger ecological community. If important biological resources exist, project effects to the resources are qualitatively evaluated to determine whether the project would substantially affect these important biological resources. Significant biological resource impacts may potentially result from substantial disturbance to important wildlife and vegetation in the following ways:

- Elimination or substantial reduction or disruption of important natural vegetative communities and wildlife habitat or migration corridors, such as oak woodland, coastal strand, riparian, and wetlands.
- Substantial effect on protected plant or animal species listed or otherwise identified or protected as endangered, threatened or rare.
- Substantial loss or damage to important native specimen trees or designated landmark or historic trees.

Biological Resources – Existing Conditions and Project Impacts

3.a,c,d,e) Native Wildlife and Habitat

The project site is vacant and does not support any contiguous natural communities nor function as an important wildlife movement or dispersal area or contain any wetland habitats. Vegetation on the site is minimal and consists of a line of approximately 13 ornamental pine trees, planted as a hedge, located along the northern and western property lines. These trees would be removed as part of the project. One ficus tree is located in the right-of-way along North Milpas Street, and

is proposed to remain. As recognized by the City of Santa Barbara Master Environmental Assessment, this portion of the City is almost entirely urbanized, and biological resources are limited. No endangered, threatened or rare species or their habitats currently listed or candidates for State or Federal protection are present onsite. *No impacts* to protected species/habitats, natural habitats, or dispersal/ migration corridors are anticipated.

However, all migratory non-game native bird species are protected under the Federal Migratory Bird Treaty Act. Take of birds and their active nests are prohibited. Migratory birds or raptors may nest in trees on the site, and removal of these trees before the birds have fledged could result in take of those nesting birds. A mitigation measure requiring that either construction occur outside the bird nesting season (February 1 – August 15) or prior to construction a clearance survey for nesting birds and avoidance of the area if nesting bird species are identified in the project area be completed, is reuired to ensure that there is no impact to birds or their nests. Project impacts to migratory birds would be *potentially significant, mitigable*, and reduced to a *less than significant* level with implementation of the required mitigation measure.

3.b) Specimen Trees

The project site does not contain any locally designate historic, Landmark or specimen trees. Therefore there would be *no impact* to such trees.

Biological Resources – Required Mitigation

BIO -1 Nest Protection. Proposed project activities including tree and vegetation removal shall occur outside the breeding bird season (February 1 – August 15). If project activities cannot be feasibly avoided during the bird nesting season the project proponent shall conduct a survey prior to construction, using a qualified biologist, approved by the City Environmental Analyst, to detect protected nesting native birds in the vegetation and trees being trimmed and within 300 feet of the construction work area. The survey shall be conducted no more than three days before construction is initiated. If an active nest is located, construction within 500 feet of a raptor nest and 300 feet of any other nesting bird, vegetation trimming shall be postponed until the nest is vacated and juveniles have fledged and this has been confirmed by the qualified biologist.

Biological Resources - Residual Impacts

Less than significant.

4. CULTURAL RESOURCES Could the project:		NO	YES *Level of Significance*
a)	Disturb archaeological resources?		Less Than Significant
b)	Affect a historic structure or site designated or eligible for designation as a National, State or City landmark?	X	
c)	Have the potential to cause a physical change which would affect ethnic cultural values or restrict religious uses in the project area?	X	

Cultural Resources - Discussion

Issues: Archaeological resources are subsurface deposits dating from Prehistoric or Historical time periods. Native American culture appeared along the channel coast over 10,000 years ago, and numerous villages of the Barbareno Chumash flourished in coastal plains now encompassed by the City. Spanish explorers and eventual settlements in Santa Barbara occurred in the 1500's through 1700's. In the mid-1800's, the City began its transition from Mexican village to American city, and in the late 1800's through early 1900's experienced intensive urbanization. Historic resources are above-ground structures and sites from historical time periods with historic, architectural, or other cultural importance. The City's built environment has a rich cultural heritage with a variety of architectural styles, including the Spanish Colonial Revival style emphasized in the rebuilding of Santa Barbara's downtown following a destructive 1925 earthquake.

Impact Evaluation Guidelines: Archaeological and historical impacts are evaluated qualitatively by archeologists and historians. First, existing conditions on a site are assessed to identify whether important or unique archaeological or historical resources exist, based on criteria specified in the State CEQA *Guidelines* and City Master Environmental Assessment *Guidelines for Archaeological Resources and Historical Structures and Sites*, summarized as follows:

- Contains information needed to answer important scientific research questions and there exists a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with an important prehistoric or historic event or person.

If important archaeological or historic resources exist on the site, project changes are evaluated to determine whether they would substantially affect these important resources.

Cultural Resources – Existing Conditions and Project Impacts

4.a) Archaeological Resources

The project site is located within the American Period (1870-1900) and Early 20th Century (1900-1920) archaeological resources sensitivity area, as identified in the City's Master Environmental Assessment (MEA) *Cultural Resources Sensitivity Map*. The site has been periodically and substantially disturbed over the past several decades for the placement and removal of structures and several underground fuel tanks, and for remediation of hazardous materials in site soils. To date no resources were found during those excavations. Therefore, impacts to archaeological resources are considered *less than significant*. However, as with any ground disturbing activity, there is the remote possibility of encountering unknown buried deposits. For this reason contractors and construction personnel should be alerted to the remote possibility of encountering archaeological resources within the project parcel. If archaeological resources are encountered, work in the area of the find should be halted and a professional archaeologist consulted.

4.b) Historic Resources

The project site is currently vacant and contains no historic resources. The site was formerly developed with an automobile service station, which was demolished in 2004. Therefore, there would be *no impact* to historic resources.

4.c) Ethnic/Religious Resources

There is no evidence that the site involves any ethnic or religious use or importance. The project would have *no impact* on historic, ethnic or religious resources.

Cultural Resources – Recommended Mitigation

CR-1 Unanticipated Archaeological Resources Contractor Notification. Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to

monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

Cultural Resources – Residual Impacts

Less than significant.

5. GEOPHYSICAL CONDITIONS Could the project result in or expose people to:		*NO*	*YES* *Level of Significance*
a)	Seismicity: fault rupture?		Less Than Significant
b)	Seismicity: ground shaking or liquefaction?		Less Than Significant
c)	Seismicity: seiche or tsunami?	X	
d)	Landslides or mudslides?	X	
e)	Subsidence of the land?	X	
f)	Expansive soils?	X	
g)	Excessive grading or permanent changes in the topography?	X	

Geophysical Conditions - Discussion

Issues: Geophysical impacts involve geologic and soil conditions and their potential to create physical hazards affecting persons or property; or substantial changes to the physical condition of the site. Included are earthquake-related conditions such as fault rupture, groundshaking, liquefaction (a condition in which saturated soil looses shear strength during earthquake shaking); or seismic sea waves; unstable soil or slope conditions, such as landslides, subsidence, expansive or compressible/collapsible soils; or erosion; and extensive grading or topographic changes.

Impact Evaluation Guidelines: Potentially significant geophysical impacts may result from:

- Exposure to or creation of unstable earth conditions due to seismic conditions, such as earthquake faulting, groundshaking, liquefaction, or seismic waves.
- Exposure to or creation of unstable earth conditions due to geologic or soil conditions, such as landslides, settlement, or expansive, collapsible/compressible, or expansive soils.
- Extensive grading on slopes exceeding 20%, substantial topographic change, destruction of unique physical features; substantial erosion of soils, overburden, or sedimentation of a water course.

Geophysical Conditions – Existing Conditions and Project Impacts

5.a-c) Seismic Hazards

Fault Rupture: The City Master Environmental Assessment (MEA) does not identify the project site as being near any faults. Because no known active or potentially active faults are located within or immediately adjacent to the subject site, potential impacts associated with fault rupture from proposed development would be *less than significant.*

Ground Shaking and Liquefaction: The project site is located in a seismically active area of southern California. Significant ground shaking as a result of a local or regional earthquake is likely to occur during the life of the project. The City MEA indicates that the project site is partially located in an area of anticipated low to moderate damage level to 1- to 3-story structures. The City MEA identifies the northern portion of the site as minimally susceptible to liquefaction in the event of a strong earthquake, while the southern portion of the site would be highly susceptible to liquefaction.

Future development would be required to comply with building code requirements that would minimize potential hazards associated with ground shaking and liquefaction. Impacts associated with ground shaking and liquefaction are considered to be *less than significant* with adherence to the City's Building Code requirements.

Seiche or Tsunami: The City MEA identifies the project site as not being located within the tsunami run-up zone. Seiche refers to seismic waves within an enclosed water body such as a lake, which is not applicable to the project site location. *No impacts* related to tsunami or seiche are anticipated.

5.d-f) Geologic or Soil Instability

Landslides and Subsidence: According to the City's MEA maps, the project site is not located in an area subject to landslides or subsidence; therefore *no impacts* related to landslides, mudslides or subsidence are anticipated.

Expansive Soils: The City's MEA identifies the project site as having minimal expansiveness of soil. Therefore, there would be *no impacts* associated with expansive soils.

5.g) Topography; Grading/ Erosion

Grading for the project would be minimal and involves approximately 208 cubic yards of cut and 72 cubic yards of fill. The proposed grading would not result in a significant alteration of the natural landform or substantially change the existing topography of the site since the topography is relatively flat and would remain so following completion of the project. The project would have *no impact* related to excessive grading or topographical change.

Geophysical Conditions – Mitigation

No mitigation is required.

Geophysical Conditions – Residual Impacts

Less than significant.

6. HAZARDS Could the project involve:		NO	YES *Level of Significance*
a)	A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?		Less Than Significant
b)	The creation of any health hazard or potential health hazards?		Less Than Significant
c)	Exposure of people to existing sources of potential health hazards?		Less Than Significant
d)	Increased fire hazard in areas with flammable brush, grass, or trees?		Less Than Significant

Hazards - Discussion

Issues: Hazardous materials issues involve the potential for public health or safety impacts from exposure of persons or the environment to hazardous materials or risk of accidents involving combustible or toxic substances.

Impact Evaluation Guidelines: Significant impacts may result from the following:

- Siting of incompatible projects in close proximity to existing sources of safety risk, such as pipelines, industrial processes, railroads, airports, etc.
- Exposure of project occupants or construction workers to unremediated soil or groundwater contamination.
- Exposure of persons or the environment to hazardous substances due to improper use, storage, or disposal of hazardous materials.
- Siting of development in a high fire hazard areas or beyond adequate emergency response time, with inadequate access or water pressure, or otherwise in a manner that creates a fire hazard

Hazards – Existing Conditions and Project Impacts

The project site was initially developed as a service station in 1953, at which time two 10,000-gallon capacity underground storage tanks (USTs), one 280-gallon used-oil UST, and associated fuel dispensers and buildings were installed. In 1957, a third 10,000-gallon capacity UST was added to the site. In 1971, these USTs and associated structures were removed, and the site was redeveloped as a Standard Oil service station, including two 10,000-gallon gasoline USTs, one 5,000-gallon UST, and one 1,000-gallon used-oil UST. In March 1994, these tanks were removed and three 12,000-gallon gasoline USTs and one 1,000-gallon used-oil UST were installed. In August 2004, these USTs were removed, along with all four dispenser islands and all associated product and vent pipe as part of Chevron's abandonment of the site.

The project site is identified as Leaking Underground Storage Tank (LUST) site #50234. Agencies with cleanup oversight include the Santa Barbara County Fire Department, Fire Prevention Division (FPD) and Central Coast Regional Water Quality Control Board (RWQCB). Volatile fuel constituents have been detected in soil and groundwater samples collected at the site since 1993.

From February 1995 to November 2007, 24 groundwater monitoring wells were installed, and 13 soil borings were drilled. On-site testing revealed hydrocarbon-containing soil. Groundwater monitoring has been performed at the site on a quarterly basis since the second quarter of 1995. Substantial remediation has taken place on the site, including the removal of over 2,000 tons of soil, and extraction, treatment and discharge of approximately 450,000 gallons of groundwater. Residual hydrocarbon concentrations above FPD investigation levels in vadose/smear zone soil include total petroleum hydrocarbons as gasoline (TPHg), total petroleum hydrocarbons (TPH) as oil, and benzene. TPH as oil was present in the southern part of the site in the vicinity of the former clarifier, hydraulic lifts, and used-oil UST. Residual hydrocarbon concentrations above FPD investigation levels in saturated-zone soil include TPHg, benzene, methyl tertiary butyl ether (MTBE), tertiary butyl ether (TBA), and ethylene dichloride (EDC). The residual TPHg and benzene concentrations were present below the former remedial excavation, off-site to the north, and at location B-33 along the southern property boundary. The MTBE, TBA, and EDC concentrations in the saturated-zone soil are most likely representative of dissolved-phase concentrations.

Additionally, two active LUST sites are located in the vicinity of the site: 1) FPD LUST site #50779, located at 735 North Milpas Street at the southern corner of the intersection of North Milpas and De La Guerra Streets, is a former service station. The site is currently developed with an automotive sales business operating under the name Milpas Motors. A dual-phase remediation system has been operating at this site since May 2007 (Hayden, 2008). 2) FPD LUST site #90078, located at 800 North Milpas Street at the northern corner of the intersection of North Milpas and De La Guerra Streets, is a former service station that was abandoned in 1986. Site assessment and groundwater monitoring activities have been performed at the site, and a Corrective Action Plan (CAP) for soil and groundwater remediation has been submitted to the FPD. Soil and groundwater remediation activities have not been initiated as of April 1, 2009 (FPD, 2009).

6.a) Hazardous Materials

The proposed residential and commercial condominiums are not anticipated to create any new hazards. Hazardous materials usage on the site would likely be limited to the storage and use of relatively small quantities of materials such as paint, oils, cleaners, and landscape maintenance materials. Any usage of hazardous materials would be subject to all applicable State and local requirements for management and disposal of such materials. A *less than significant* impact from the use of hazardous materials is anticipated.

6.b, c) Public Health and Safety

The project site is subject to an on-going assessment, remediation and monitoring program since 1993 because the site contains groundwater and soil contamination, primarily from the current use of the service station. A Corrective Action Plan, as required by the Central Coast RWQCB and the Santa Barbara County Fire Department FPD, has been approved and implemented to address the remediation and on-going monitoring of the site. A workplan for final sampling to further delineate and quantify residual hydrocarbons in soil and groundwater was submitted to the FPD on May 13, 2009. The status of the case is Open – Verification Monitoring since March 31, 2005.

Soil gas and soil sample data were used to evaluate potential human health risks associated with future use of the site for commercial/residential development. The results of the risk assessment (***Exhibit I***), prepared by Geomatrix, incorporated herein by reference, show that potential human health risks are below levels considered acceptable by regulatory agencies and do not represent a potential public health risk.

The impact of ground water and soil contamination on the project site are considered *less than significant* with continued implementation of the approved Corrective Action Plan and compliance with FPD requirements.

6.d) Fire Hazard

The project site is not located in a High Fire Hazard Area, and is surrounded by urban development. Therefore, there is little flammable brush, grass, or trees in the project vicinity. A new commercial fire hydrant is proposed on the north side of the proposed access driveway, which would be within 300 feet of the exterior of all proposed structures. Additionally, proposed structures would be equipped with automatic fire sprinklers. The project would be subject to Fire Department and City Ordinance requirements for adequate access, structural design and materials. Therefore, the project would have a *less than significant* impact associated with increased fire hazard.

Hazards – Recommended Mitigation

H-1 **Corrective Action Plan Completion.** Written evidence of completion of the work plans contained in the Corrective Action Plan approved by the California Regional Water Quality Control Board and the Santa Barbara County Fire Department shall be provided prior to issuance of any building permits other than those permits necessary to complete the activities in the Corrective Action Plan.

H-2 **Vapor Barrier.** Due to the potential for migration of contaminants in groundwater from the upgradient site at 800 North Milpas Street, any future building at the subject site shall incorporate a vapor barrier.

Hazards – Residual Impacts

Less than significant.

7. NOISE Could the project result in:		NO	YES *Level of Significance*
a)	Increases in existing noise levels?		Less Than Significant
b)	Exposure of people to severe noise levels?		Potentially Significant, Mitigable

Noise - Discussion

Issues: Noise issues are associated with siting of a new noise-sensitive land use in an area subject to high ambient background noise levels, siting of a noise-generating land use next to existing noise-sensitive land uses, and/or short-term construction-related noise.

The primary source of ambient noise in the City is vehicle traffic noise. The City Master Environmental Assessment (MEA) *Noise Contour Map* identifies average ambient noise levels within the City.

Ambient noise levels are determined as averaged 24-hour weighted levels, using the Day-Night Noise Level (L_{dn}) or Community Noise Equivelence Level (CNEL) measurement scales. The L_{dn} averages the varying sound levels occurring over the 24-hour day and gives a 10 decibel penalty to noises occurring between the hours of 10:00 p.m. and 7:00 a.m. to take into account the greater annoyance of intrusive noise levels during nighttime hours. Since L_{dn} is a 24-hour average noise level, an area could have sporadic loud noise levels above 60 dB(A) which average out over the 24-hour period. CNEL is similar to L_{dn} but includes a separate 5 dB(A) penalty for noise occurring between the hours of 7:00 p.m. and 10:00 p.m. CNEL and L_{dn} values usually agree with one another within 1 dB(A). The Equivalent Noise Level (L_{eq}) is a single noise level, which, if held constant during the measurement time period, would represent the same total energy as a fluctuating noise. L_{eq} values are commonly expressed for periods of one hour, but longer or shorter time periods may be specified. In general, a change in noise level of less than three decibels is not audible. A doubling of the distance from a noise source will generally equate to a change in decibel level of six decibels.

Guidance for appropriate long-term background noise levels for various land uses are established in the City General Plan Noise Element Land Use Compatibility Guidelines. Building codes also establish maximum average ambient noise levels for the interiors of structures.

High construction noise levels occur with the use of heavy equipment such as scrapers, rollers, graders, trenchers and large trucks for demolition, grading, and construction. Equipment noise levels can vary substantially through a construction period, and depend on the type of equipment, number of pieces operating, and equipment maintenance. Construction equipment generates noise levels of more than 80 or 90 dB(A) at a distance of 50 feet, and the shorter impulsive noises from other construction equipment (such as pile drivers and drills) can be even higher, up to and exceeding 100 dB(A). Noise during construction is generally intermittent and sporadic, and after completion of the initial demolition, grading and site preparation activities, tends to be quieter.

The Noise Ordinance (Chapter 9.16 of the Santa Barbara Municipal Code) governs short-term or periodic noise, such as construction noise, operation of motorized equipment or amplified sound, or other sources of nuisance noise. The ordinance establishes limitations on hours of construction and motorized equipment operations, and provides criteria for defining nuisance noise in general.

Impact Evaluation Guidelines: A significant noise impact may result from:

- Siting of a project such that persons would be subject to long-term ambient noise levels in excess of Noise Element land use compatibility guidelines as follows **(Use applicable land uses):**
    - Residential: Normally acceptable maximum exterior ambient noise level of 60 dB(A); maximum interior noise level of 45 dB(A).
    - Office or Commercial - Retail: Normally acceptable maximum exterior ambient noise level of 75 dB(A); maximum interior noise level of 50 dB(A).
- Substantial noise from grading and construction activity in close proximity to noise-sensitive receptors for an extensive duration.

Noise – Existing Conditions and Project Impacts

7.a-b) Increased Noise Level; Exposure to High Noise Levels

Long-Term Operational Noise:

The project site is primarily located in an area subject to average ambient noise levels of 60-65 dBA Ldn, as shown on the City's Master Environmental Assessment noise contour maps. The western property line is located in an area subject to noise levels of less than 60 DB(A) Ldn. Noise at the project site is primarily due to traffic noise along Milpas and East De la Guerra Streets. A Sound Level Assessment for the project site was prepared by 45dB.com, and is incorporated by reference ***(Exhibit F)*** and summarized below. Measured sound levels at the site ranged from 54 dB(A) Ldn in the western corner of the property to 68 dB(A) Ldn in the eastern corner of the property (corner of Milpas and De la Guerra Streets). Habitable spaces and outdoor living areas facing North Milpas and East De la Guerra Streets would be subject to noise levels in excess of the City's 60 dB(A) threshold. Long-term noise exposure for occupants of the proposed buildings is considered a *potentially significant, mitigable* impact. Mitigation measures addressing construction specifications and outdoor areas would reduce noise levels to less than 45 dB(A) Ldn and less than 60 dB(A) Ldn, respectively.

Temporary Construction Noise:

Uses around the project site are a mix of commercial and residential. Noise from grading and construction equipment, truck traffic and vibration would affect surrounding residential uses during the approximately 12- to 18-month construction period.

Noise during construction is generally intermittent and sporadic and, after completion of initial grading and site clearing activities, tends to be quieter. Noise generated during project grading activities would result in a short-term adverse impact to residents in the area. The level of the adverse effect could be further reduced through limiting the hours of construction activities and use of equipment mufflers. Given the temporary nature of construction activities, short-term impacts from exposure of people to high noise levels and increases in existing noise levels are considered *less than significant*. Implementation of standard short term construction-related noise mitigation measures would further reduce any less than significant impacts to residents in the area.

High construction noise levels occur with the use of heavy equipment such as scrapers, rollers, graders, trenchers and large trucks for demolition, grading, and construction. Equipment noise levels can vary substantially through a construction period, and depend on the type of equipment, number of pieces operating, and equipment maintenance. Construction equipment generates noise levels of more than 80 or 90 dB(A) at a distance of 50 feet, and the shorter impulsive noises from other construction equipment (such as pile drivers and drills) can be even higher, up to and exceeding 100 dB(A). Noise during construction is generally intermittent and sporadic, and after completion of the initial demolition, grading and site preparation activities, tends to be quieter.

The Noise Ordinance (Chapter 9.16 of the Santa Barbara Municipal Code) governs short-term or periodic noise, such as construction noise, operation of motorized equipment or amplified sound, or other sources of nuisance noise. The ordinance establishes limitations on hours of construction and motorized equipment operations, and provides criteria for defining nuisance noise in general.

Impact Evaluation Guidelines: A significant noise impact may result from:

- Siting of a project such that persons would be subject to long-term ambient noise levels in excess of Noise Element land use compatibility guidelines as follows **(Use applicable land uses):**
    - Residential: Normally acceptable maximum exterior ambient noise level of 60 dB(A); maximum interior noise level of 45 dB(A).
    - Office or Commercial - Retail: Normally acceptable maximum exterior ambient noise level of 75 dB(A); maximum interior noise level of 50 dB(A).
- Substantial noise from grading and construction activity in close proximity to noise-sensitive receptors for an extensive duration.

Noise – Existing Conditions and Project Impacts

7.a-b) Increased Noise Level; Exposure to High Noise Levels

Long-Term Operational Noise:

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Noise during construction is generally intermittent and sporadic and, after completion of initial grading and site clearing activities, tends to be quieter. Noise generated during project grading activities would result in a short-term adverse impact to residents in the area. The level of the adverse effect could be further reduced through limiting the hours of construction activities and use of equipment mufflers. Given the temporary nature of construction activities, short-term impacts from exposure of people to high noise levels and increases in existing noise levels are considered *less than significant*. Implementation of standard short term construction-related noise mitigation measures would further reduce any less than significant impacts to residents in the area.

Noise – Required Mitigation

N-1 **Deck Front / Open Yard Construction.** For all residential outdoor activity spaces (decks, balconies, or open yard areas) facing Milpas Street and De la Guerra Street, the following construction specifications are required such that exterior noise levels are reduced to less than 60 dBA:

Proposed outdoor balconies or decks require a vertical, solid wall three feet high with reference to finish floor elevation, with no openings or gaps facing the noise source. The deck wall facing the noise source shall have a minimum ¾-inch solid thickness, sealed with non-hardening acoustical sealant at all edges, seams and construction joints. However, if glazing is used for this wall, the glazing shall be minimum ½-inch thick laminated glass (three unequal layers: ¼", 0.060 innerlayer, 3/16"). Floor drains facing the noise source shall have a 90 degree bend incorporated in their design, with one opening facing away from the transportation noise source.

N-2 **Construction for East and South-Facing Elevations.** The following construction specification are required in order to result in an acoustical performance of less than 45 dBA Ldn interior residential noise level along the east and south elevations, where construction assemblies face the transportation noise source. Noise mitigation may fail to perform if each and every following recommendation is not followed. A small crack or air leak in the construction may completely compromise all other sound-proofing.

a. **Vents and roof penetrations:** Soffit vents, eave vents, dormer vents and other wall and roof penetrations shall be located on the walls and roofs facing away from the noise source (located on the north and west elevation) wherever possible. If kitchens or bathrooms are located on the east or south side, remote venting to other elevations is required. If vents are required to be located facing the noise source, a 90 degree bend shall be incorporated in the design of the ductwork or vent opening.

b. **Walls:** Only the east- and south-facing exterior walls closest to the transportation noise sources require mitigation. The wall enclosing habitable spaces nearest the noise source shall be constructed with an S.T.C. (Sound Transmission Class) rating of 30 or greater. For instance, stucco exterior or fiber-cement panel siding, with 30 pound felt on 5/8" sheathing, on 2" x 6" stud walls with R-21 fiber glass batt insulation, a ½" layer of interior sound deadening board (Homasote 440 Sound Barrier or equivalent), and a layer of 5/8" Type X Gypsum Board will provide an S.T.C. rating of 30 or greater. Construction of the east and south-facing walls must include the liberal use of non-hardening acoustical sealant at all construction joints, including the header and footer construction and the edges and corners of gypsum board intersecting ceiling, walls and floor, especially behind papered joints. Apply Homasote 440 Sound Barrier directly to the interior side of conventional 2" x 6" framing, 16" on center using 5d adhesive coated nails. Space nails 3/8" from edges, 6" apart around panel edges and 12" apart on each stud in panel field. Countersink all nails at least 1/16" below surface. Provide a gap of 1/8" between abutting edges, 1/4" between floor and ceiling. Using a good grade drywall laminating compound and a notched trowel, apply a 6" wide strip down the vertical center of 5/8" thick Type X Gypsum Board and a 6" wide strip down each side, 2" away from edges. Apply the compound coated Gypsum Board directly to the 440 Sound Barrier. Avoid coinciding butt joints of Gypsum with 440 Sound Barrier joints. Secure Gypsum with double headed nails, or bracing, until laminating compound sets. Apply resilient acoustical sealant (Johns Manville or equivalent) to gaps at intersecting walls, ceiling and floor before taping and spackling Gypsum Board in conventional manner. Seal all peripheries and apertures and joints around windows.

c. **Acoustic Leaks:** Common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues and other breaks in the integrity of the wall, ceiling or roof insulation and construction on the east and south sides of the dwelling units nearest transportation noise source shall receive special attention during construction. All construction openings and joints through the gypsum board on east- and south-facing walls shall be insulated, sealed and caulked with expanding foam and a resilient, non-hardening caulking material, as appropriate. All such openings and joints shall be airtight to maintain sound isolation.

d. **Windows:** To meet the interior 45 dB(A) Ldn requirements, windows for habitable spaces on all floors of affected west elevation facing the noise source shall be of double-glazed construction with one light of laminated glass, and installed in accordance with the recommendations of the manufacturer. The

windows shall be fully gasketed, with an S.T.C. rating of 35 or better, as determined in testing by an accredited acoustical laboratory. An example that meets this requirement is Milgard Quiet Line windows with laminated glass.

e. **Doors:** To meet the interior 45 dB(A) Ldn requirements, doors directly facing the noise source shall be solid core with sound dampening and fully gasketed, sealed jambs and grouted frames, with an overall S.T.C. rating of 35 or better, as determined in testing by an accredited acoustical laboratory.

N-3 **Noise Measurements.** Submit a final report from a licensed acoustical engineer, verifying that interior and exterior area noise levels are within acceptable levels for residential and/or commercial uses, as appropriate, as specified in the Noise Element. In the event the noise is not mitigated to acceptable levels, additional mitigation measures shall be recommended by the noise specialist and implemented subject to the review and approval of the Building and Safety Division and the Architectural Board of Review (ABR) if applicable.

Noise – Recommended Mitigation

N-4 **Construction Notice.** At least 20 days prior to commencement of construction, the contractor shall provide written notice to all property owners and residents within 450 feet of the project area. The notice shall contain a description of the proposed project, a construction schedule including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions, and provide additional information or address problems that may arise during construction. A 24-hour construction hot line shall be provided. Informational signs with the PEC's name and telephone number shall also be posted at the site.

N-5: **Construction Hours.** Noise-generating construction activities (which may include preparation for construction work) shall be permitted weekdays between the hours of 8:00 a.m. and 5:00 p.m., excluding holidays observed by the City as legal holidays: New Year's Day (January 1st); Martin Luther King Jr.'s Birthday (3rd Monday in January); President's Day (3rd Monday in February); Memorial Day (Last Monday in May); Independence Day (July 4th); Labor Day (1st Monday in September); Thanksgiving Day (4th Thursday in November); Day Following Thanksgiving Day (Friday following Thanksgiving); Christmas Day (December 25th). *When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday respectively shall be observed as a legal holiday.

Occasional night work may be approved for the hours between 5 p.m. and 8 a.m. by the Chief of Building and Zoning per Section 9.13.015 of the Municipal Code) between the hours of 5 p.m. and 8 a.m. weekdays In the event of such night work approval, the applicant shall provide written notice to all property owners and residents within 450 feet of the project property boundary and the City Planning and Building Divisions at least 48 hours prior to commencement of any. Night work shall not be permitted on weekends and holidays.

N-6: **Construction Equipment Sound Control.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.

Noise – Residual Impact

Less than significant.

8. POPULATION AND HOUSING Could the project:		NO	YES Level of Significance
a)	Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?		Less Than Significant
b)	Displace existing housing, especially affordable housing?	X	

Population and Housing - Discussion

Impact Evaluation Guidelines: Issues of potentially significant population and housing impacts may involve:

- Growth inducement, such as provision of substantial population or employment growth or creation of substantial housing demand; development in an undeveloped area, or extension/ expansion of major infrastructure that could support additional future growth.
- Loss of a substantial number of housing units, especially loss of more affordable housing.

Population and Housing – Existing Conditions and Project Impacts

8.a) Growth-Inducing Impacts

The project would not involve a substantial increase in major public facilities such as extension of water or sewer lines or roads that would facilitate other growth in the area. The project would not involve substantial employment growth that would increase population and housing demand. Growth-inducing impacts would be *less than significant*.

8.b) Housing Displacement

The project would not involve any housing displacement. *No impact* related to housing displacement would result from the project.

Population and Housing - Mitigation

No mitigation is required.

Population and Housing – Residual Impact

Less than significant.

9. PUBLIC SERVICES Could the project have an effect upon, or result in a need for new or altered services in any of the following areas:		NO	YES *Level of Significance*
a)	Fire protection?		Less Than Significant
b)	Police protection?		Less Than Significant
c)	Schools?		Less Than Significant
d)	Maintenance of public facilities, including roads?		Less Than Significant
e)	Other governmental services?		Less Than Significant
f)	Electrical power or natural gas?		Less Than Significant
g)	Water treatment or distribution facilities?		Less Than Significant
h)	Sewer or septic tanks?		Less Than Significant
i)	Water distribution/demand?		Less Than Significant
j)	Solid waste disposal?		Less Than Significant

Public Services - Discussion

Issues: This section evaluates project effects on fire and police protection services, schools, road maintenance and other governmental services, utilities, including electric and natural gas, water and sewer service, and solid waste disposal.

Impact Evaluation Guidelines: The following may be identified as significant public services and facilities impacts:

- Creation of a substantial need for increased police department, fire department, road maintenance, or government services staff or equipment.
- Generation of substantial numbers of students exceeding public school capacity where schools have been designated as overcrowded.
- Inadequate water, sewage disposal, or utility facilities.
- Substantial increase in solid waste disposal to area sanitary landfills.

Public Services – Existing Conditions and Project Impacts

9a, b, d-g. Facilities and Services

The project site is located in an urban area where all public services are available. In 2005, the City prepared a General Plan Update: 2030 Condition, Trends, and Issues Report (September 2005) that examined existing conditions associated with fire protection, police protection, library services, public facilities, governmental facilities, electrical power, and natural gas. The CTI Report specifically analyzed whether there were deficiencies existing or anticipated for each of the public services. The CTI report determined that police and fire protection services, and library services are being provided at acceptable levels to the City. In addition, the CTI Report determined that electricity, natural gas, telephone, and cable telecommunication services are being provided at acceptable service levels and utility companies did not identify any deficiencies in providing service in the future. Finally, the CTI Report determined that demand for City buildings and facilities will continue to be affected by growth, although no appropriate/acceptable levels of service have been established.

The project would be served with connections to existing public services for gas, electricity, cable, and telephone traversing the site, as well as access to existing roads. The project is not anticipated to create a substantially different demand on fire or police protection services, library services, or City buildings and facilities than that anticipated in the CTI Report. Refer to Section 6.d for additional discussion of fire protection measures included as part of the project. Impacts to fire protection, police protection, library services, City buildings and facilities, electrical power, natural gas,

telephone, and cable telecommunication services are anticipated to be *less than significant*.

9.c) Schools

The project site is served by the Santa Barbara Elementary and High School Districts for elementary and high school. The project would provide an increase of eight residential units, which could generate additional students depending on unit affordability for buyers with school age children.

The project would also result in a minor increase in area employees. It would be expected that some of the added employees would already reside in the area. Some portion of new employees may in-migrate or utilize local schools. The commercial portion of the proposed project may generate new elementary and secondary students to the extent that new employment created by the project results in new residents to the area. Unlike the residential portion of this project that falls into a defined school attendance area, students generated by the commercial portion of the proposed project could live and attend a school in any area of the South Coast. Some students generated by the commercial portion of this project could also live outside the boundaries of the Santa Barbara School Districts or attend private schools.

None of the school districts in the South Coast have been designated "overcrowded" as defined by California State law. School impact fees would be applied to the project in accordance with State law. The project would not generate sufficient students to substantially impact school enrollment. School District Fees are also already required for new commercial and residential development to offset the cost to the school district of providing additional infrastructure to accommodate new students generated by the development. Therefore, project impacts to schools would be *less than significant*.

9.g, h, i) Water and Sewer

Water

The City of Santa Barbara's water supply comes from the following sources, with the actual share of each determined by availability and level of customer demand: Cachuma Reservoir and Tecolote Tunnel, Gibraltar Reservoir and Mission Tunnel, 300 Acre Feet per Year (AFY) of contractual transfer from Montecito Water district, groundwater, State Water Project entitlement, desalination, and recycled water. Conservation and efficiency improvements are projected to contribute to the supply by displacing demand that would otherwise have to be supplied by additional sources. In 1994, based on the comprehensive review of the City's water supply in the Long Term Water Supply Alternatives Analysis (LTWSAA), the City Council approved the Long Term Water Supply Program (LTWSP). The LTWSP outlines a strategy to use the above sources to meet the projected demand of 17,900 AFY (including 1,500 AFY of demand projected to be met with conservation) plus a 10 percent safety margin for a total of 19,700 AFY. Therefore, the target for the amount of water the system will actually have to supply, including the safety margin, is 18,200 AFY. The 2003 Water Supply Management Report documents an actual system demand of 13,460 AFY and a theoretical commitment of 16,170 AFY. Of the total system production, 95% was potable water and 5% was reclaimed water.

In 2005, the City prepared a General Plan Update: 2030 Condition, Trends, and Issues Report (September 2005) that examined existing conditions associated with water supply, treatment, and distribution system, and specifically analyzed and determined that there were no existing or anticipated deficiencies for the next 20-year planning period based on a growth rate of 0.7% per year.

The proposed project is estimated to demand approximately 357 AFY (based on the City's Water Demand Factor and Conservation Study "User's Guide" Document No. 2), which would not significantly impact the City's water supply.

The proposed project receives water service from the City of Santa Barbara. The proposed project is within the anticipated growth rate for the City and therefore, the City's long-term water supply and existing water treatment and distribution facilities would adequately serve the proposed project. The potential increase in demand from the proposed project would constitute a *less than significant* impact to the City water supply, treatment, and distribution facilities.

Sewer

The maximum capacity of the El Estero Treatment Plant is 11 million gallons per day, with current average daily flow 8.5 MGD. The Treatment Plant is designed to treat the wastewater from a population of 104,000. The proposed project's estimated net new sewer demand is approximately 341 AFY. Increased sewage treatment associated with the project can be accommodated by the existing City sewer system and sewage treatment plant, and would represent a *less than significant* impact.

9.j) Solid Waste Generation/ Disposal

Most of the waste generated in the City is transported on a daily basis to seven landfills located around the County. The County of Santa Barbara, which operates the landfills, has developed impact significance thresholds related to the impacts of development on remaining landfill capacity. The County thresholds are based on the projected average solid waste generation for Santa Barbara County from 1990-2005. The County assumes a 1.2% annual increase (approximately 4000 tons per year) in solid waste generation over the 15-year period.

The County's threshold for project specific impacts to the solid waste system is 196 tons per year (this figure represents 5% of the expected average annual increase in solid waste generation [4000 tons/year]). Source reduction, recycling, and composting can reduce a project's waste stream by as much as 50%. If a proposed project generates 196 or more tons per year after reduction and recycling efforts, impacts would be considered significant and unavoidable.

Proposed projects with a project specific impact as identified above (196 tons/year or more) would also be considered cumulatively significant, as the project specific threshold of significance is based on a cumulative growth scenario. However, as landfill space is already extremely limited, any increase in solid waste of 1% or more of the expected average annual increase in solid waste generation [4000 tons/year], which equates to 40 tons per year, is considered an adverse cumulative impact.

Long-Term (Operational). The project use is estimated to generate 38.52 tons per year of solid waste, a *less than significant* impact. With application of source reduction, reuse, and recycling, landfill disposal of solid waste could be reduced to 19.26 TPY.

Short-Term (Demolition and Construction). The solid waste generation/disposal thresholds adopted by the City do not apply to short-term construction projects. However, new construction, especially remodeling and demolition, represents the greatest challenge to maintaining existing diversion rates. Project grading would be minimal, with an estimated 200 cubic yards of export. The project would generate an estimated 170 tons of waste during construction. Construction-related waste generation would be short-term and *less than significant*. Application of recommended standard mitigation to reduce, re-use, and recycle construction waste to the extent feasible would minimize this effect.

Public Services – Recommended Mitigation

PS-1 **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of a container of sufficient size to handle the materials, subject to review and approval by the City Solid Waste Specialist, for collection of demolition/construction materials. A minimum of 90% of demolition and construction materials shall be recycled or reused. Evidence shall be submitted at each inspection to show that recycling and/or reuse goals are being met.

Public Services – Residual Impacts

Less than significant.

10. RECREATION Could the project:		NO	YES *Level of Significance*
a)	Increase the demand for neighborhood or regional parks or other recreational facilities?		Less Than Significant
b)	Affect existing parks or other public recreational facilities?		Less Than Significant

Recreation - Discussion

Issues: Recreational issues are associated with increased demand for recreational facilities, or loss or impacts to existing recreational facilities.

Impact Evaluation Guidelines: Recreation impacts may be significant if they result in:

- Substantial increase in demand for park and recreation facilities in an area under-served by existing public park and recreation facilities.
- Substantial loss or interference with existing park space or other public recreational facilities such as hiking, cycling, or horse trails.

Recreation – Existing Conditions and Project Impacts

10.a) Recreational Demand

Currently within the City there are more than 1,800 acres of natural open space, park land and other recreational facilities. In addition, there are 28 tennis courts, 2 public outdoor swimming pools, beach volleyball courts, sport fields, lawn bowling greens, a golf course, 13 community buildings and a major skateboard facility. The City also offers a wide variety of recreational programs for people of all ages and abilities in sports, various classes, tennis, aquatics and cultural arts.

In 2005, the City prepared a General Plan Update: 2030 Conditions, Trends, and Issues (CTI) Report (September 2005) that examined existing conditions associated with recreation and parks. Population characteristics including income, age, population growth, education and ethnicity affect recreation interests and participation levels.

The National Recreation and Park Association (NRPA) has established park service area standards for various types of parks. The NRPA standards have not been adopted by the City; however, the standards do provide a useful tool for assessing park space needs. The CTI Report determined that, based on NRPA standards, there is an uneven distribution of parkland in the City, such that some areas of the City may currently be underserved with neighborhood and community parks, but overall the City has adequate passive, community, beach, regional, open space, and sports facility parks.

The development of the proposed project with new residences and additional commercial space would create a small increase in the demand for park and recreational opportunities in the general area. As indicated above, the City of Santa Barbara has ample parkland, albeit unevenly distributed throughout the City, and adequate recreation facilities. The proposed project would introduce additional residents and workers into the Milpas neighborhood where existing nearby neighborhood parks (those intended to serve nearby residents) include Ortega Park, Eastside Neighborhood Park and Sunflower Park. Ortega Park is within the NRPA ¼ to ½-mile radius standard of the proposed project site. In addition, residents would have access to other community, beach, regional, open space and sports facility parks, and all City recreation programs.

The increase in park and recreational demands associated with the residences and commercial space is considered a *less than significant* impact.

10.b) Existing Recreational Facilities

The proposed project is nearby but not adjacent to existing park facilities. The proposed residential and commercial uses would not result in population increases that would have the potential to result in a substantial increase in the use of existing recreation facilities. Short-term construction and long-term operation of the project would not result in impacts

that have the potential to interfere with the use or enjoyment of existing parks or recreational facilities. Therefore, the project would have a *less than significant* impact on recreational facilities.

Recreation - Mitigation

No mitigation is required.

Recreation – Residual Impacts

Less than significant.

11. TRANSPORTATION/CIRCULATION Could the project result in:		NO	YES *Level of Significance*
a)	Increased vehicle trips?		Less Than Significant
b)	Hazards to safety from design features (e.g. sharp curves, inadequate sight distance or dangerous intersections)?		Less Than Significant
c)	Inadequate emergency access or access to nearby uses?	X	
d)	Insufficient parking capacity on-site or off-site?		Less Than Significant
e)	Hazards or barriers for pedestrians or bicyclists?		Less Than Significant

Transportation - Discussion

Issues: Transportation issues include traffic, access, circulation, safety, and parking. Vehicle, bicycle and pedestrian, and transit modes of transportation are all considered, as well as emergency vehicle access. The City General Plan Circulation Element contains policies addressing circulation, traffic, and parking in the City.

Impact Evaluation Guidelines: A proposed project may have a significant impact on traffic/ circulation/ parking if it would:

Vehicle Traffic

- Cause an increase in traffic that is substantial in relation to the existing traffic load and street system capacity (see traffic thresholds below).
- Cause insufficiency in transit system.
- Conflict with the Congestion Management Plan (CMP) or Circulation Element or other adopted plan or policy pertaining to vehicle or transit systems.

Circulation and Traffic Safety

- Create potential hazards due to addition of traffic to a roadway that has design features (e.g., narrow width, roadside ditches, sharp curves, poor sight distance, inadequate pavement structure) or that supports uses that would be incompatible with substantial increases in traffic.
- Diminish or reduce safe pedestrian and/or bicycle circulation.
- Result in inadequate emergency access on-site or to nearby uses.

Parking

- Result in insufficient parking capacity for the projected amount of automobiles and bicycles.

Traffic Thresholds of Significance: The City uses Levels of Service (LOS) "A" through "F" to describe operating conditions at signalized intersections in terms of volume-to-capacity (V/C) ratios, with LOS A (0.50-0.60 V/C) representing free flowing conditions and LOS F (0.90+ V/C) describing conditions of substantial delay. The City General Plan Circulation Element establishes the goal for City intersections to not exceed LOS C (0.70-0.80 V/C).

For purposes of environmental assessment, LOS C at 0.77 V/C is the threshold Level of Service against which impacts are measured. An intersection is considered "impacted" if the volume to capacity ratio is .77 V/C or greater.

Project-Specific Significant Impact: A project-specific significant impact results when:

(a) Project peak-hour traffic would cause a signalized intersection to exceed 0.77 V/C, or

(b) The V/C of an intersection already exceeding 0.77 V/C would be increased by 0.01 (1%) or more as a result of project peak-hour traffic.

For non-signalized intersections, delay-time methodology is utilized in evaluating impacts.

Significant Cumulative Contribution: A project would result in a significant contribution to cumulative traffic impacts when:

(a) Project peak-hour traffic together with other cumulative traffic from existing and reasonably foreseeable pending projects would cause an intersection to exceed 0.77 V/C, or

(b) Project would contribute traffic to an intersection already exceeding 0.77 V/C.

Transportation – Existing Conditions and Project Impacts

A traffic, circulation and parking analysis of the project was prepared by Associated Transportation Engineers ***(Exhibit G)***. The report is summarized below and incorporated herein by reference.

11.a) Traffic

Long-Term Traffic

Intersections in the surrounding area have Levels of Service ranging from A to C during peak hours of the weekday morning and evening commutes (7-9 a.m. and 4-6 p.m.):

EXISTING LEVELS OF SERVICE AT AREA INTERSECTIONS				
INTERSECTION	A.M. PEAK HOUR		P.M. PEAK HOUR	
	V/C	LOS	V/C	LOS
Milpas Street / De la Guerra Street	0.49	A	0.48	A
Milpas Street / Ortega Street	15.1 second delay	C	14.7 second delay	B

The project would generate net traffic increase of 190 average daily trips (ADT), 8 A.M. peak hour trips (PHT) and 17 P.M. PHT. When distributed to the surrounding street system, the study-area intersections would continue to operate at acceptable levels, both under project-specific conditions and cumulative conditions.

EXISTING + PROJECT LEVELS OF SERVICE AT AREA INTERSECTIONS				
INTERSECTION	A.M. PEAK HOUR		P.M. PEAK HOUR	
	V/C	LOS	V/C	LOS
Milpas Street / De la Guerra Street	0.49	A	0.48	A
Milpas Street / Ortega Street	15.2 second delay	C	14.8 second delay	B

CUMULATIVE + PROJECT LEVELS OF SERVICE AT AREA INTERSECTIONS				
INTERSECTION	A.M. PEAK HOUR		P.M. PEAK HOUR	
	V/C	LOS	V/C	LOS
Milpas Street / De la Guerra Street	0.51	A	0.51	A
Milpas Street / Ortega Street	16.4 second delay	C	16.2 second delay	C

Therefore, the proposed project would have a *less than significant* impact on the operation of intersections located in the project area.

Short-Term Construction Traffic

The overall project construction process is estimated to last approximately 12-18 months. This would include grading for site preparation, construction and landscape installation. The project would generate construction-related traffic that would occur over the construction period and would vary depending on the stage of construction. Temporary construction traffic is generally considered an adverse but not significant impact. In this case, given traffic levels in the area and the duration of the construction process, short-term construction-related traffic would be a *less than significant* impact. Standard mitigation measures would be applied as appropriate, including restrictions on the hours permitted for construction trips and approval of routes for construction traffic.

11.b, c, e) Access/ Circulation/ Safety

Access to the proposed mixed-use development would be provided by a single driveway on East De la Guerra Street. The proposed driveway will operate at LOS B during both the A.M. and P.M. peak hours. This driveway has been located such that it provides adequate sight distance to and from the adjacent intersection, and has been reviewed and accepted by the City's Public Works and Fire Departments.

The project frontage currently includes two curb cuts located on East De la Guerra Street and two curb cuts located on North Milpas Street. These curb cuts would be removed and replaced with City standard sidewalks. This will improve pedestrian access to and from the site, as well as improve the pedestrian experience due to reduced vehicle-pedestrian interference.

Additionally, the existing bus stop located on East De la Guerra Street would be relocated further west (toward downtown Santa Barbara) along East De la Guerra Street as part of the project. This bus stop serves the Line 14 bus, which provides service from downtown Santa Barbara to Montecito.

Therefore, pedestrian, bicycle and traffic safety/access impacts of the project would be *less than significant*.

11.d) Parking

The project includes 10 uncovered parking stalls and 16 parking stalls within 2-car garages, for a total of 26 parking stalls. The Municipal Code parking requirement for the project is 29 stalls (18 for the residential component and 11 for the commercial component). The parking requirement is based on the following standards:

- Two spaces for each of the eight residential units = 16 stalls required.
- One additional guest space for every four residential units = 2 stalls required.
- One parking stall for each 250 square feet of commercial floor area = 11 stalls required.

The project includes a request (parking modification) to allow less than the required number of parking spaces for the development.

The project's peak parking demand has been estimated based upon the Institute of Transportation Engineers (ITE) parking generation reports and the Urban Land Institute's Shared Parking Manual for mixed use projects (refer to ***Exhibit G***). The use of shared parking recognizes that the peak parking demand for different types of uses occurs at different times of day, and that parking spaces can be shared by different uses at different times of the day and evening. The project's peak parking demand has been estimated at 12 stalls for residential visitors and commercial uses (the residential units themselves provide two garage stalls each, so their demand/use was excluded from the analysis). The project's peak shared parking demand would be 10 stalls. Therefore, the 10 surface parking stalls provided by the project would satisfy the project's residential visitor and commercial user parking demand. Residential parking satisfies City requirements of two stalls per unit. Therefore, the project would accommodate its peak parking demand and the requested parking modification would result in a *less than significant* parking-related impact.

Transportation – Recommended Mitigation

T-1 **Construction Traffic.** The haul routes for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Engineer. Construction-related truck trips shall not be scheduled

during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic and noise on adjacent streets and roadways. The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods.

T-2 **Construction Parking.** Construction parking and vehicle/equipment/materials storage shall be provided as follows:

A. During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Transportation and Parking Manager.

B. On-site or off-site storage shall be provided for construction materials, equipment, and vehicles. Storage of construction materials within the public right-of-way is prohibited.

Transportation – Residual Impact

Less than significant.

12. WATER ENVIRONMENT Could the project result in:		NO	YES *Level of Significance*
a)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?		Less Than Significant
b)	Exposure of people or property to water related hazards such as flooding?		Less Than Significant
c)	Discharge into surface waters?		Less Than Significant
d)	Change in the quantity, quality, direction or rate of flow of ground waters?		Less Than Significant
e)	Increased storm water drainage?		Less Than Significant

Water – Discussion

Issues: Water resources issues include changes in offsite drainage and infiltration/groundwater recharge; storm water runoff and flooding; and water quality.

Impact Evaluation Guidelines: A significant impact would result from:

Water Resources and Drainage

- Substantially changing the amount of surface water in any water body or the quantity of groundwater recharge.
- Substantially changing the drainage pattern or creating a substantially increased amount or rate of surface water runoff that would exceed the capacity of existing or planned drainage and storm water systems.

Flooding

- Locating development within 100-year flood hazard areas; substantially altering the course or flow of flood waters or otherwise exposing people or property to substantial flood hazard

Water Quality

- Substantial discharge of sediment or pollutants into surface water or groundwater, or otherwise degrading water quality, including temperature, dissolved oxygen, or turbidity.

Water Resources – Existing Conditions and Project Impacts

12.a, c, e) Drainage and Water Quality

Drainage: The City and State require that onsite capture, retention, and treatment of storm water be incorporated into the design of the project. Pursuant to the City's Storm Water Management Plan (SWMP) and the NPDES General Permit for Storm Water Discharges, the City requires that any increase in stormwater runoff (based on a 25-year storm event) be retained on-site and that projects be designed to capture and treat the calculated amount of runoff from the project site for a 1 inch storm event, over a 24-hour period. Drainage from the site currently sheet flows to East De la Guerra Street, south of the site. Hydrology calculations, prepared by Huitt-Zollars, Inc. summarized below and incorporated by reference ***(Exhibit H)***, indicate that the amount of drainage flowing from proposed development would be slightly lower than the pre-project conditions for the 10, 25, 50 and 100 year return period storm events. With the proposed development, the project will contribute a net increase of permeable surfaces (landscaping) to this corner of North Milpas Street and East De la Guerra Street. With no net increase in runoff, impacts would be *less than significant*.

Surface Water Quality: Project grading activities create the potential for temporary, incremental and localized erosion and sedimentation affecting water quality. Numerous federal, state and local regulatory programs have been established to minimize impacts to water quality resulting from construction operations. Surface water quality impacts are therefore considered *less than significant* through implementation of standard erosion control measures. Compliance with applicable regulations and the mitigation identified below will further reduce the potential for the proposed project to result in short-term construction-related water quality impact s.

Runoff of pollutants from parking areas or other hardscape could also degrade water quality. Compliance with standard City requirements will ensure the project's long-term water quality impacts are *less than significant*. These requirements include the preparation of an operation and maintenance plan for the use of storm drain surface water pollutant interceptors in the parking areas, using landscape areas around the perimeter to improve water quality, stenciling of storm drain warnings of the direct connection of the drainage system to creeks and the ocean, and implementation of water quality protection best management practices (BMPs).

12.b) Flooding

The project is located partially in Flood Hazard Zone 'X' as shown on the Federal Insurance Rate Map published by FEMA; however, the southern portion of the site is located in Special Flood Hazard Area (SFHA) 'A'. Units 6, 7 and 8, and the commercial unit would be located at least partially in the SFHA. Estimated Base Flood Elevation (BFE) determinations have been made by the City of Santa Barbara, and proposed development will need to comply with these BFE determinations by raising the finished floor elevations above these BFEs. Compliance with these minimum elevations for finished floors will ensure that impacts associated with flood hazards are *less than significant*.

12.d) Groundwater

During a first quarter 2009 groundwater monitoring event at the site, depth to groundwater beneath the site ranged between 6.5 to 10.5 feet below ground surface, and groundwater flow was toward the southeast with a gradient of 0.01. The shallow groundwater encountered at the site is regarded as perched. All proposed construction would be at-grade. Thus the likelihood of encountering ground water would be low. Groundwater-related impacts would be *less than significant*.

Water Resources – Recommended Mitigation

W-1 **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.

W-2 **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.

Water Resources – Residual Impact

Less than significant.

MANDATORY FINDINGS OF SIGNIFICANCE.		*YES*	*NO*
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildfire population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X
b)	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?		X
c)	Does the project have potential impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X
d)	Does the project have potential environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X

a. As discussed in Section 3 (Biological Resources), the project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildfire population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. As discussed in Section 4 (Cultural Resources), the project would not eliminate or impact important prehistoric or historic resources.

b. As discussed in Sections 1 through 12 of this Initial Study, the project, as mitigated, would not result in significant short- or long-term environmental impacts.

c. Sections 1 through 12 of this Initial Study consider potential cumulative impacts to environmental resources. As discussed in these sections, the project, as mitigated, would not result in any significant, cumulative impacts on the environment.

d. As discussed in Sections 1 through 12 of this Initial Study, no significant effects on humans (direct or indirect) would occur as a result of this project as mitigated. All potentially significant impacts related to biological resources and noise can be mitigated to a less than significant level. In addition, mitigation measures are recommended to further reduce adverse but less than significant impacts associated with aesthetics, air quality, cultural resources, hazards, noise, public services, traffic, and water resources.

INITIAL STUDY CONCLUSION

On the basis of this initial evaluation it has been determined that with identified mitigation measures agreed-to by the applicant, potentially significant impacts would be avoided or reduced to less than significant levels. A Mitigated Negative Declaration will be prepared.

Initial Study Preparer: Alice DeBuck

MB

Environmental Analyst Date 6/3/2009

EXHIBITS:

A. **Project Plans**

B. **Mitigation Monitoring and Reporting Program**

C. **Architectural Board of Review Meeting Minutes, March 5, 2007**

D. **Architectural Board of Review Meeting Minutes, May 14, 2007**

E. **Architectural Board of Review Meeting Minutes, May 4, 2009**

F. **Sound Level Assessment, prepared by 45dB.com, dated August 28, 2006**

G. **Traffic, Circulation, and Parking Study, prepared by Associated Transportation Engineers, dated June 14, 2007**

H. **Hydrology Calculations, prepared by Huitt-Zollars, Inc., dated 6/18/07**

I. **Soil and Soil Gas Sampling and Human Health Risk Assessment Report (*excluding Tables, Figures and Appendices*), prepared by Geomatrix, dated July 2006**

LIST OF SOURCES USED IN PREPARATION OF THIS INITIAL STUDY

The following sources used in the preparation of this Initial Study are located at the Community Development Department, Planning Division, 630 Garden Street, Santa Barbara and are available for review upon request.

General Sources/Documents

California Environmental Quality Act (CEQA) & CEQA Guidelines

General Plan Circulation Element

General Plan Conservation Element

1995 Housing Element

General Plan Land Use Element

General Plan Noise Element w/appendices

General Plan Map

General Plan Seismic Safety/Safety Element

Geology Assessment for the City of Santa Barbara

Institute of Traffic Engineers Parking Generation Manual

Institute of Traffic Engineers Trip Generation Manual

Local Coastal Plan *(Main)*

Master Environmental Assessment

Parking Design Standards

Santa Barbara Municipal Code & City Charter

Special District Map

Uniform Building Code as adopted by City

Zoning Ordinance & Zoning Map

Project-Specific Sources/Documents

Corrective Action Plan Addendum For Chevron Products Company Former Service Station #9-2444 803 North Milpas Street, Santa Barbara, California (LUFT SITE # 50234), prepared by Holguin, Fahan & Associates, Inc., September 12, 2008

Estimated Base Flood Elevation, prepared by the City of Santa Barbara, October 24, 2007

Letter from Santa Barbara County Fire Department, Fire Prevention District regarding LUFT SITE #50234, dated August 5, 2008

Letter from Santa Barbara County Fire Department, Fire Prevention District regarding LUFT SITE #50234, dated November 21, 2008

Letter from Santa Barbara County Fire Department, Fire Prevention District regarding LUFT SITE #50234, dated April 15, 2009

Soil and Soil Gas Sampling and Human Health Risk Assessment Report (*complete report*), prepared by Geomatrix, dated July 2006

URBEMIS 2007 Version 9.2.4 Results for 803 N. Milpas Mixed-Use Project

Water, Wastewater and Solid Waste Generation Calculations, City of Santa Barbara, May 21, 2009

Work Plan For Site Assessment Activities At Chevron Products Company Former Service Station #9-2444 803 North Milpas Street, Santa Barbara, California (LUFT SITE # 50234), prepared by Holguin, Fahan & Associates, Inc., September 11, 2008

Work Plan For Site Assessment Activities At Chevron Products Company Former Service Station #9-2444 803 North Milpas Street, Santa Barbara, California (LUFT SITE # 50234), prepared by Holguin, Fahan & Associates, Inc., May 13, 2009